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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,890	07/09/2003	Norihiro Ishimatsu	X2007.0133	8957
7590	11/30/2006		EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			CHAMBERS, TRAVIS SLOAN	
41st Floor 1177 Avenue of the Americas New York, NY 10036-2714			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/614,890	ISHIMATSU, NORIHIKO	
	Examiner	Art Unit	
	Travis Chambers	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 July 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-4 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 09 July 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/09/2003, 01/21/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glassford Jr. (4383467) in view of Clark (3981220).

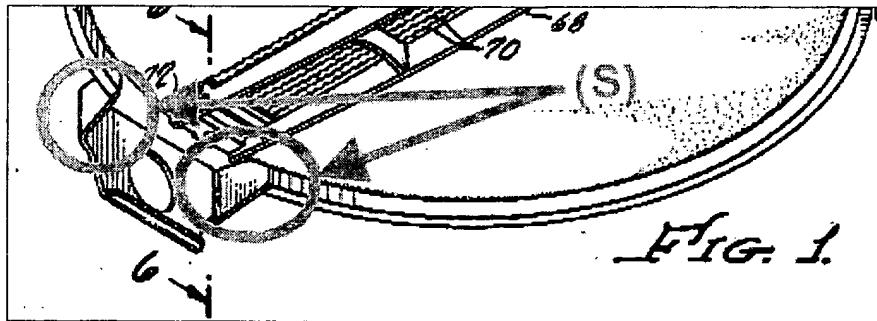
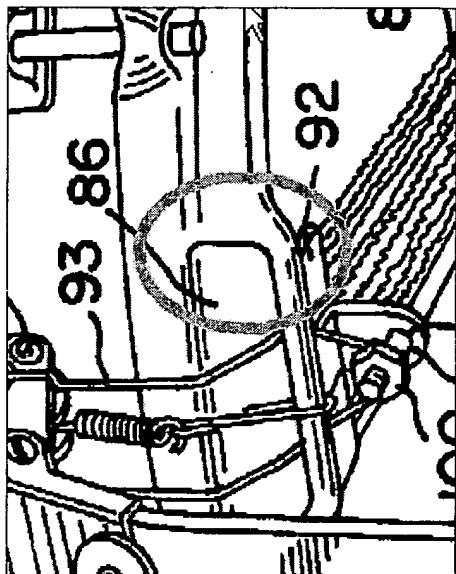
In reference to claim 1, Glassford teaches a horizontal plate (near lead line 92; figure 2) and a pair of legs (between lead line 86 and 92; figure 2, see image below) for supporting the horizontal plate (near lead line 92), wherein the legs (between lead line 86 and 92) are fixed (not able move) to a prescribed position of a hoop (26; figure 2), which is fixed (not able to move) to circumferential ends of an opening (86; figure 2) of a hollow cylinder (near lead line 26; figure 2) of the snare drum (embodiment of figure 2).

However Glassford does not teach side edges of the legs are respectively bent inwardly to form ribs, each having an L-shape in cross section, thus reinforcing the legs.

Clark teaches of side edges (S; figure 1 image below)are bent inwardly.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of Clark to improve the invention of Glassford.

One skilled in the art would have been motivated to use the teachings of Clark because, as shown by Clark, better leg support is provided in order to prevent legs from deformation.



-- Claims 2, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glassford Jr. (4383467) in view of Knowles (4078352).

In reference to claim 2, Glassford shows substantially the invention as claimed.

However, Glassford does not teach each leg has a rib that is integrally formed at a center portion thereof.

It is known in the art to form a rib in the center portion of a leg. Knowles (4078352) is an example that teaches each leg has a rib; each leg (near lead line 17; figure 3) has a rib (19; figure 3 and 4) that is integrally formed at a center portion thereof.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of Knowles to improve the invention of Glassford.

One skilled in the art would have been motivated to use the teachings of Knowles because, as taught by Knowles (Col. 2 line(s) 39-44), it provides better support in rigidifying the leg against deformation.

- In reference to claim 3, Glassford shows substantially the invention as claimed.

However, Glassford does not teach a rib if integrally formed on the horizontal plate.

It is known in the art to form a rib in the center portion of a horizontal plate. Knowles (4078352) is an example that teaches each leg has a rib.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of Knowles to improve the invention of Glassford

One skilled in the art would have been motivated to use the teachings of Knowles because, as taught by Knowles (Col. 2 line(s) 39-44), it provides better support in rigidifying the horizontal plate against deformation.

- In reference to claim 4, Glassford teaches a pair of legs (between 86 and 92; figure 2) attached to a hoop (26; figure 2) which is fixed to an opening (86; figure 2) of a hollow cylinder (near lead line 26; figure 2) of the snare drum (embodiment of figure 2); a horizontal plate (near lead line 92; figure 2), which connects together both of the legs (between 86 and 92) and which is arranged perpendicular to each of the legs (between 86 and 92).

However Glassford does not teach a rib which is formed on each of the legs and which is arranged perpendicular to both of the legs and the horizontal plate.

It is known in the art to form a rib on a leg and plate. Knowles (4078352) is an example that teaches each leg has a rib; a rib (19; figure 3 and 4) which is formed on the legs (13; figure 3) and which is arranged perpendicular (when formed on the elements) to both the legs and the horizontal plate (near lead line 17; figure 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of Knowles to improve the invention of Glassford.

One skilled in the art would have been motivated to use the teachings of Knowles because, as taught by Knowles (Col. 2 line(s) 39-44), it provides better support in rigidifying the leg and horizontal plate against deformation.

Conclusion

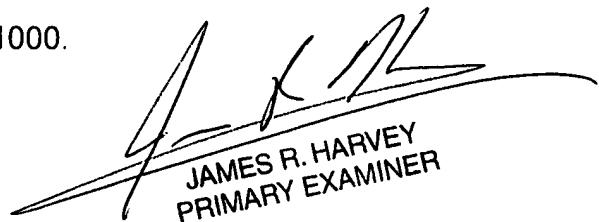
The prior listed on PTO form 892 that is made of record is considered pertinent to applicant's disclosure because it shows the state of the art with respect to applicant's claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis Chambers whose telephone number is 571-272-6813. The examiner can normally be reached on Monday-Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Travis Chambers
TC
11/21/2006



JAMES R. HARVEY
PRIMARY EXAMINER